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June 30, 2014

## VIA ECF

Hon. William H. Pauley III  
United States District Court  
Southern District of New York  
Courtroom 20B  
500 Pearl Street  
New York, NY 10007-1312

Re: **Sabrina Penceal et al., v. Empire Beauty School, Inc., et al.;**  
**SDNY Case No: 13-cv-7572 (WHP)**

Dear Honorable William Pauley:

This firm represents Defendants Empire Beauty School Inc., EEG Inc., EEG LLC, Chic Schools, Inc., Empire Education Group, Inc., Frank Schoeneman, Michael D. Bouman, and Regis Corporation. The parties jointly submit this status report pursuant to Your Honor's March 26, 2014 Scheduling Order (Docket No. 77), in advance of the status conference set for July 25, 2014 at 11:00 a.m. The status of discovery is as follows:

1. Both parties have propounded written discovery. Plaintiff Shireef Jones responded to Defendants' discovery requests on June 11, 2014. By agreement of counsel, the deadline for Defendant Regis Corporation (Regis) to respond to Plaintiffs' discovery requests has been extended until July 21, 2014 to allow the parties to meet and confer regarding whether Regis is a proper defendant in this action. The deadline for the remaining parties to respond to written discovery has been extended until July 11, 2014. The parties are also meeting and conferring regarding negotiation of the language of the parties' confidentiality agreement.

2. The parties are diligently meeting and conferring regarding Plaintiffs' interest in discovery of electronically stored information (ESI). Defendants retained an e-discovery vendor to assist with ESI collection, review and production. Plaintiffs' counsel noticed a Federal Rule of Civil Procedure (FRCP) 30(b)(6) deposition on topics relating to ESI. The parties have scheduled this deposition for July 2, 2014. Following the 30(b)(6) ESI deposition, the parties

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will continue to meet and confer regarding an ESI protocol for this case. The parties are also meeting and conferring regarding discovery of emails, including search terms.

3. The parties are working cooperatively to schedule depositions of the named Plaintiffs and Defendants' representatives. Defendants have noticed the depositions of two Plaintiffs for August 13, 2014 (Sabrina Penceal) and August 18, 2014 (Shireef Jones).

4. The parties are meeting and conferring regarding certain of the topics listed above, but have no disputes at this time on those topics. The parties continue to have a dispute regarding the appropriate scope of discovery, are meeting and conferring regarding this issue, and hope to resolve certain issues prior to the July 25, 2014 status conference.

Sincerely,

*/s/ Michael Tiliakos*

Michael Tiliakos

Natalie F. Hrubos

cc: Leon Greenberg, Esq. (counsel for Plaintiffs)  
Lauren Goldberg, Esq. (counsel for Plaintiffs)  
Stephen P. DeNittis, Esq. (counsel for Plaintiffs)